

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

ANDREW TORO, on behalf of himself and all
others similarly situated,

Plaintiffs,

-against-

DXRACER USA, LLC

Defendant.

Docket No: 1:22-cv-8485

NOTICE OF SETTLEMENT

Now comes the Plaintiff ANDREW TORO, by and through counsel, to provide notice to the Court that the present cause has been settled between the parties, and states:

1. A settlement in principle has been reached between Plaintiff and Defendant and settlement agreement (“Agreement”) is in the process of being finalized. Once the Agreement is fully executed, and certain conditions have been fulfilled pursuant to the Agreement, the parties will submit a Stipulation of Dismissal with prejudice, and without costs, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).
2. The parties respectfully request that the Court stay this case and adjourn all deadlines and conferences.

Dated: Queens, New York
December 9, 2022

Respectfully submitted,

/s/ Mars Khaimov

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